

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Civil Action No.: 04-11939-JGD

MICHAEL J. WHALON,

Plaintiff,

v.

CHRISTY'S OF CAPE COD, LLC,

Defendant.

JOINT STATEMENT

Pursuant to Local Rule 16.1(D), the parties submit their Joint Statement and request that the Court adopt and Order the following proposed schedule:

A. Joint Discovery Plan.

The parties request that the Court adopt and order the following discovery plan:

1. Service of written discovery requests are to be made and responses to be served no later than September 9, 2005.
2. Depositions of fact witnesses are to be completed no later than September 9, 2005.
3. Plaintiff's trial expert witnesses, if any, are to be disclosed and reports and disclosure required by Fed.R.Civ.P. 26(b) are to be furnished to Defendant's counsel by October 14, 2005.

4. Defendant's trial expert witnesses, if any, are to be disclosed and reports and disclosure required by Rule Fed.R.Civ.P. 26(b) are to be furnished to Plaintiff's counsel by November 14, 2005.
5. All depositions of Rebuttal/Trial Experts are to be completed by December 23, 2005.

B. Proposed Schedule For Filing Motions.

1. Dispositive motions must be filed no later than February 15, 2006.
2. Pretrial conference to be scheduled at the court's convenience after March 15, 2006.
4. Trial to be scheduled by the court after May 2006.

C. Certifications of Counsel.

Certifications will be provided separately at or before the Scheduling Conference.

Respectfully submitted.

For the Plaintiff:

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